

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ARNEATRA SMITH,)	
)	Civil Action File No.
Plaintiff,)	1:11-CV-00356-CAP
)	
v.)	
)	JURY TRIAL DEMANDED
PEER 1 DEDICATED HOSTING,)	
INC.,)	
)	
Defendant.)	
_____)	

STIPULATION OF DISMISSAL WITH PREJUDICE

COME NOW Plaintiff Arneatra Smith (“Plaintiff”) and Defendant Peer 1 Network (USA), Inc. (“Peer 1”), incorrectly identified as Peer 1 Dedicated Hosting, Inc. and, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), hereby **STIPULATE TO DISMISS WITH PREJUDICE** all claims that were, or could have been raised by Plaintiff against Defendant Peer 1 in the above-styled action. The parties having previously agreed to an apportionment of attorneys’ fees, each party shall bear its own costs and expenses of this action, and each party waives any rights of appeal.

[SIGNATURES ON FOLLOWING PAGE]

This 3d day of August, 2011.

s/ Benjamin F. Barrett

Benjamin F. Barrett (039586)

Barrett & Farahany, LLP

1100 Peachtree Street

Suite 500

Atlanta, GA 30309

ben@bf-llp.com

(404) 214-0120 (telephone)

(404) 214-0125 (facsimile)

s/ Terry P. Finnerty

Terry P. Finnerty (261561)

Sara J. Bass (140974)

DUANE MORRIS LLP

1180 West Peachtree Street, Suite 700

Atlanta, Georgia 30309

sjbass@duanemorris.com

(404) 253-6917 (telephone)

(404) 253-6901 (facsimile)

CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2011, the foregoing Stipulation of Dismissal With Prejudice was filed using the ECF system, which will send electronic notice to the following attorneys:

Benjamin F. Barrett
Barrett & Farahany, LLP
1100 Peachtree Street
Suite 500
Atlanta, GA 30309
ben@bf-llp.com

/s/ Sara J. Bass

Sara J. Bass